

Springerville Town Council
Minutes
December 3, 2008
6:00 p.m.

Council: Mary Nedrow Mayor, Eric Baca Vice Mayor, Bill Lucas, Ron Thebeau and Phelps Wilkins

Staff: Steve West Town Manager, Val Cordova Town Clerk, Tim Shaffery and Eduardo Coronado Legal Counsel, Larisa Bogardus Community Dev. Dir. Tom Malone Public Works Dir. and Debbie Gillespie.

Public: Gracie Becker, Kevin Burk, Leah Chavez, Clint Reed, Susan Silva and Jennifer Chamber Director.

1. Mayor Nedrow called the meeting to order with a quorum present at 6:00 p.m.

2. The Pledge of Allegiance was led by Gracie Becker.

3. Public Participation: None

Mayor Nedrow pulled new business item #7 Award Presentation of Service Pin to Debbie Gillespie.

7. Mr. West asked Debbie Gillespie to come forward and announced that she has worked with the Town for thirty years. He stated that it was an honor and a pleasure to present her with a token of appreciation. Mr. West congratulated Debbie and presented her with a thirty year pin with three diamonds.

4. Manager, Council and Chamber Reports:

Chamber Director Jennifer Prochnow briefly updated the council on the Chamber happenings noting that the Electric Light Parade will be this weekend. The Visitors Center picked up this week after a slow week and she will be attending a grant workshop. The Chamber is currently accepting applications for Adopt a family.

Councilman Baca updated the council on the Santa event. He asked for assistance in distributing fliers advertising the event and the drawing for the giant stocking.

Mr. West reported that the new signs with directions to the kennels are now up. He also stated that we will not be having a part but instead will have an open house on December 23rd from noon until about 2:00 p. Mr. West invited the council to stop by and visit with town staff.

5. Consent Items:

- a. Consider approval of the minutes of November 19, 2008 town council meeting held at 6:00 p.m.
- b. Consider ratification of the accounts payable for the month of October 2008.

Bill Lucas/Ron Thebeau motion to approve consent items 5a – 5b.

Vote:	Ayes:	Mary Nedrow
		Eric Baca
		Bill Lucas
		Ron Thebeau
		Phelps Wilkins

6. Ordinance 2008-007: Discussion and action regarding 2nd reading of Ordinance 2008-007 of the Town of Springerville, Arizona, adopting the public document entitled "Recreational Vehicle Parks Ordinance" by reference.

Second reading by Mayor Nedrow: An ordinance of the Town of Springerville, Arizona, adopting the public document entitled: "Recreational Vehicle Parks" ordinance by reference, providing severability; and establishing an effective date:

Mr. Shaffery explained the process for discussions and motions. If they want to move forward they have to make a motion that is seconded and then opened for discussion. The motion either dies before it receives a second or dies after a vote is taken or is passed. He advised them that it is not appropriate to ask questions before a motion is taken.

Ron Thebeau/Bill Lucas motion to table this item and send it back to planning and zoning for further review.

Mr. Shaffery further advised that anytime during discussion any council member can call for the vote. This is the time for discussion and there will be a record of what needs to go back to the planning and zoning.

Councilman Lucas said he really didn't want to table this item. However after having conversations with Councilman Thebeau felt that it should go back to planning and zoning for review rather than addressing the concerns at a council meeting.

Mr. Shaffery again advised the council that the motion were to fail a new motion could come forward to say that they would like to send it back to the planning and zoning with the list of items.

Mr. West commented that it's hard to discuss an item that is tabled but recommended that the council let this motion die. The best way to do this is to make a motion to approve as read, second it and go into discussion. After discussion the motion can be amended to state what they would like to do. The discussion is limited only to the motion.

Mayor Nedrow called for a vote on the motion to table.

Vote:

Ayes:

Nays: Mary Nedrow
Eric Baca
Bill Lucas
Ron Thebeau
Phelps Wilkins

The Motion to table failed

Ron Thebeau/Bill Lucas motion to amend that motion and send this back to planning and zoning.

Ms. Bogardus noted that this ordinance has been through the process and the document before the council is the document that the planning and zoning researched, assembled and forwarded with a recommendation for adoption. She recommended some specificity needs to be sent back to them.

Mayor Nedrow asked what particular items Councilman Thebeau would like to have Planning and zoning look at.

Councilman Thebeau said this was prohibitive to business and expensive. He said there were several areas like an above ground facet, how to park an RV in your park, and the size of the lots allowed, skirting and trim the language to be friendly to business and suggesting that they not make this into a law.

Mayor Nedrow recommended that Councilman Thebeau narrow down the issues that he would like planning and zoning to look at.

Councilman Thebeau said that it's not the council job to be a home owners association to tell some owner how to set up his park and work within the boundaries.

Councilman Baca asked Commissioner Leah Chavez if the business owners had been involved in the process.

Ms. Chavez said that they didn't have any present at either their work session or regular meeting.

Ms. Bogardus stated that the commission has worked with RV Park owners and asked for their feedback which was incorporated into the ordinance.

Councilman Baca stated that the problem they have is that the council doesn't know what Councilman Thebeau has concerns with.

Councilman Lucas said that his perspective is that he would prefer council not make radical changes to a document that the planning and zoning have spent lots of time preparing. Send it back and allow Councilman Thebeau to give them his perspective on it and allow the commission to make their decision to modify, change or not and send it back to the council. He said he understands Councilman Thebeau has concerns but is unhappy with the fact that he hasn't produced a list of the things he has concerns with. He recommended that Councilman Thebeau make up a document listing his concerns for the commission to review at their next meeting.

Ms. Chavez said that the commission doesn't mind having it sent back to them but they need specific bullet points of what they need to look at.

Mr. Thebeau stated that they are tasked with policy making and didn't think they were stepping on any toes if it interferes with commerce and business at large and it is their responsibility to look at things. If they rubber stamp every little ordinance they can generate problems that are unnecessary by looking at it little tighter.

Councilman Wilkins stated that he would take the recommendation of the planning and zoning commission. He doesn't have a problem with a well detailed document because it stops confusion. It needs to be clear and concise. A lot of the things in this document are already policy.

Councilman Thebeau amended his motion to state that they send the ordinance back to planning and zoning and he will furnish them with the specific bullet points with his concerns.

The motion was seconded by Councilman Lucas

Vote:	Ayes	Eric Baca Bill Lucas Ron Thebeau
-------	------	--

Nays:	Mary Nedrow Phelps Wilkins
-------	-------------------------------

8. Resolution 2008-R019: Discussion and action declaring as a public record certain documents files with the Town Clerk and entitled "Heavy Commercial Zone Ordinance".

A Resolution of the Town Council for the Town of Springerville, Arizona Declaring as a Public Record Certain Documents Filed with the Town Clerk and Entitled "Heavy Commercial Zone Ordinance" read by Mayor Nedrow.

Councilman Thebeau declared a conflict of interest.

Phelps Wilkins/Eric Baca motion to adopt resolution 2008-R019 declaring as a public record certain documents filed with the Town Clerk and entitled "Heavy Commercial Zone Ordinances.

Vote:	Ayes:	Mary Nedrow
		Eric Baca
		Bill Lucas
		Ron Thebeau
		Phelps Wilkins

9. Ordinance 2008-008: First reading and discussion of ordinance 2008-008 adopting the public document entitled "Heavy Commercial Zone Ordinance" by reference; providing for severability and establishing an effective date:

An ordinance of the Town of Springerville, Arizona, adopting the public document entitled "Heavy Commercial Ordinance" by reference, providing for severability; and establishing an effective date:

10. Ordinance 2008-009: Discussion of ordinance 2008-009 regarding extending water and sewer services to new customers outside the municipal boundaries.

Councilman Lucas stated that he asked for this item to be placed on the agenda. He noted that he would have to recuse himself because he could potentially benefit from this since he owns property outside town limits. He is proposing that the town consider the opportunity to provide services to people who are in proximity of town limits. There is potential financial benefit for the town. He understood the concerns with annexations but didn't think it was unreasonable to consider providing services. He stated that he would take the approach that it would be on a case by case basis. That town staff consider whether it was practical or possible.

Public Works Director Tom Malone explained that he had concerns with not having any control with enforcement of our town ordinances. We would not be able to protect our own water and sewer system from contamination without control in the county. The Town enforces water protection with backflow devices through a permitting process. We don't have control in the county. He explained that he had been asked to go out to Coalter Road and found that there are eleven manufactured homes hooked up to one 1" water meter.

Mr. West noted that they would also need to be careful of the potential for liability but suggested the possibility of individual contracts.

Mr. Shaffery recommended to the council that there be a process in place for potential users to apply. This would be done on a case by case basis specifying the location and what they are requesting. This would need to be submitted to public works for review and approval and recommendations. Then set up by a contract agreement.

Mr. West noted that there are some things that the council can look at and still be able to able to provide the benefit such as the rates that are charged in the County versus in town, the hookup fees, is there a special fee versus the capacity for those in the county. There are several things that need to be reviewed it can't just be done tomorrow.

The consensus of the council was for staff to bring pros and cons and estimated sewer costs. This was something they didn't want to rush into but also find a way to help the people along the town boundaries where there are utilities available.

11. Resolution 2008-R015: Establishing values for the Fire Fighters Alternative Benefit & Pension Plan of December 21, 2007.

Eric Baca/Ron Thebeau motion to take resolution 2008-R015 off the table for discussion and action.

Mr. West explained that the fire fighters pension fund has been neglected and unfunded for several years do to previous finance persons. The resolution is the first step to determine the value of the assets as of December 31, 2007 and funding the pension plan the money owed. This will bring the plan back into compliance. Beginning in December the pension will be funded and kept current.

Vote:	Ayes:	Mary Nedrow
		Eric Baca
		Bill Lucas
		Ron Thebeau
		Phelps Wilkins

12. Adjournment:

Phelps Wilkins/Eric Baca motion to adjourn the meeting at 7:11 p.m.

Vote:	Ayes:	Mary Nedrow
		Eric Baca
		Bill Lucas
		Ron Thebeau
		Phelps Wilkins

Mary Nedrow, Mayor

ATTEST:

Town Clerk

I hereby certify that the foregoing is a true and correct copy of the minutes of the Springerville Town Council in regular session on Wednesday, December 3, 2008. I further certify that the meeting was duly called and a quorum was present.

Dated this 9th day of December 2008

Town Clerk